

Application Serial Number 10/566483
Response to Office Action dated 07/13/2007

REMARKS

Favorable reconsideration of this application is requested in view of the following remarks.

Claim 1 has been amended to specify hydrophobic substances as supported by the specification at page 21, lines 2 to 7; Claims 14 and 15 have been added as supported by the specification at page 40, lines 21-24 and page 27, lines 10-13, respectively.

Regarding Claim 13, no rejection has been made in the Office Action mailed on July 13, 2007. Therefore, Applicants consider that such claim has been accepted by the Examiner and do not make any argument herewith.

Claims 1, 3, and 11-12 have been rejected under 35 U.S.C. 102 (b) as being anticipated by Nakanishi et al. (US Patent No.4721647). Applicants respectfully traverse this rejection.

Nakanishi discloses that the water absorbent polymer has been bonded to a hydrophobic base material of fibers (see coln. 2, lines 29-34), and the absorbent polymer particles are scattered throughout the hydrophobic base material in the form of spherical or ellipsoidal beads having been tied one to another in a row like rosary (see coln. 2, lines 39-43; Figs. 1-3). Although the absorbent polymer is in the form of substantially spherical particles (see coln. 2, lines 29-34), the absorbent article in the reference, which comprises the absorbent polymer and the base material (see *Id.*), is a web shape article as shown in Figs. 2 and 3 or a rosary shape article as shown in Fig. 1. These shapes are obviously not a particle shape, which claim 1 requires. Therefore, claim 1 is distinguished from Nakanishi. Accordingly, the rejection of claims 1, 3, and 11-12 should be withdrawn. New claim 14 is even further removed from the reference.

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Claims 1 and 4-5 have been rejected under 35 U.S.C. 102 (b) as being anticipated by Takemori et al. (US Patent No. 5075373). Applicants respectfully traverse this rejection.

Takemori discloses a water retention material with water absorbency including a hydrophobic material such as a sealant (see abstract). In the sealant-type water retention material, the water-absorbent resin is incorporated as an ingredient of a hydrophobic sealant (see coln. 6, lines 59-64). In contrast, claim 1 requires that at least part of the hydrophobic material is contained in the inside of the absorbent resin particle. Accordingly, the relative positions of the crosslinked polymer (i.e., the water-absorbent resin of Takamori) and the hydrophobic substance in the present invention and in the reference are different. Thus, claim 1 is distinguished from Takemori, and accordingly, the rejection of claims 1 and 4-5 should be withdrawn.

Claims 1, 6 and 11-12 have been rejected under 35 U.S.C. 102 (b) as being anticipated by Suskind et al. (US Patent No. 5849816). Applicants respectfully traverse this rejection.

Suskind discloses that absorbent particles have a hydrophobic solid core and a hydrogel forming polymer substantially encapsulating the solid core (see coln. 3, lines 46-49). The reference further discloses that hydrophobic organic materials to be used for the solid core are hull, bran, flour, germ, and meal; nut shells, wood flour, sawdust, cellulose, microcrystalline cellulose, starch, gelatin, and the like (see coln. 6, lines 17-21). In contrast, claim 1 requires that the hydrophobic substance (C) is at least one hydrophobic substance selected from the group consisting of a hydrophobic substance (C1) containing a hydrocarbon group, a hydrophobic substance (C2) containing a hydrocarbon group having a fluorine atom, and a hydrophobic substance (C3) having a polysiloxane structure, which are organic chemicals and significantly different from the solid core materials listed above in the reference. Therefore, claim 1 is distinguished from Suskind. Accordingly, the rejection of claims 1, 6 and 11-12 should be withdrawn.

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Claims 2 and 7-10 have been rejected under 35 U.S.C. 102 (b) as anticipated by or, in the alternative, under 35 U.S.C. 103 (a) as obvious over Nakanishi et al. (US Patent No. 4721647) or Takemori et al. (US Patent No. 5075373) or Suskind et al. (US Patent No. 5849816). Applicants respectfully traverse this rejection.

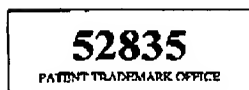
Claim 1 of the present invention is distinguished from Nakanishi, Takemori, and Suskind as discussed above. Therefore, claim 2 is not anticipated or suggested by the references.

Regarding claims 7-10, the present invention requires a particular diffusion absorption amount in claim 7, absorption time of the absorbent resin material in claim 8, water-retention amount and relationship between a liquid permeation rate and the absorption time in claim 9, and liquid permeation rate in claim 10. The present invention also has an excellent absorption amount until leakage, surface dry feeling, and surface dryness value (see Tables 1-3 of the specification). To compare the present invention with Takemori and Suskind, the Declaration statement signed by Mr. Tagawa is attached hereto. As shown in the Declaration, the tested samples of Takemori did not satisfy any of claims 7, 8, 9 and 10, and no tested sample of Suskind satisfies claim 7 or 8. Even if some tested samples of Suskind satisfy the water retention amount in claim 9 and/or the liquid permeation rate in claim 10 (see Tables 1 and 2 of the Declaration), each of these tested samples, like the other tested samples of Takemori and Suskind, shows lower absorption amount until leakage and the surface dryness value than examples of the present invention and exhibits an unsatisfactory surface dry feeling (compare Tables 3 and 4 of the Declaration with Table 3 of the specification).

Therefore, claims 2 and 7-10 of the present invention are distinguished from Takemori and Suskind, and accordingly, the rejection should be withdrawn.

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In view of the above, Applicants request reconsideration of the application in the form of a Notice of Allowance.



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Respectfully submitted,

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